

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dylan James Stellick,

File No. 22-cv-850 (ECT/JFD)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

DOC,

Defendant.

Magistrate Judge John F. Docherty issued a Report and Recommendation on May 24, 2022. ECF No. 7. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 7] is **ACCEPTED**;
2. Petitioner Dylan James Stellick's Petition for Writ of Habeas Corpus [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**;
3. Petitioner Dylan James Stellick's Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 2] is **DENIED AS MOOT**; and
4. No certificate of appealability is issued.

Dated: June 27, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court